

## CIVIL RIGHTS COMMISSION[161]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 216.5, the Iowa Civil Rights Commission hereby gives Notice of Intended Action to amend Chapter 1, “Rules of Practice,” Iowa Administrative Code.

These amendments update the address of the Commission and modify sentence structure and grammar to improve the clarity of the administrative rules and to conform to current practice and procedure.

Any interested persons may make written comments on the proposed amendments on or before 4:30 p.m. on April 6, 2010. Written comments should be addressed to the Iowa Civil Rights Commission, Grimes State Office Building, Des Moines, Iowa 50319. Comments may also be submitted by fax to (515)242-5840 or by E-mail to [ralph.rosenberg@iowa.gov](mailto:ralph.rosenberg@iowa.gov).

A public hearing will be held in the Commission Office, First Floor South, Grimes State Office Building, East 14th and Grand Avenue, Des Moines, Iowa, from 2 to 4 p.m. on April 6, 2010. At this time, persons may present their views either orally or in writing. Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Commission and advise of specific needs.

The proposed amendments are subject to the Commission’s general waiver provisions found at 161—Chapter 15.

These amendments are intended to implement Iowa Code section 216.5.

The following amendments are proposed.

ITEM 1. Amend paragraph **1.1(1)“b”** as follows:

*b. Location.* The Iowa civil rights commission, hereinafter referred to as “commission,” is located on the First Floor, Grimes State Office Building, 400 East E. 14th Street, Des Moines, Iowa 50319-1004; telephone (515)281-4121; toll-free in Iowa only 1-800-457-4416; facsimile transmission (fax) (515)242-5840. Office hours are 8 a.m. to 4:30 p.m. Monday through Friday, or the business hours set by the office of the governor or otherwise established by the legislature.

ITEM 2. Amend paragraph **1.2(9)“c”** as follows:

*c. Time of issuance.* After a proper request, the commission shall issue a concise statement of reasons by the ~~later of the time the rule is adopted or 35 days after receipt of the request,~~ whichever is later.

ITEM 3. Amend paragraph **1.2(12)“b”** as follows:

*b. Special notice.* When the commission makes a rule effective prior to its indexing and publication in reliance upon the provisions of Iowa Code section 17A.5(2)“b”(3), the commission shall employ all reasonable efforts to make its contents known to the persons who may be affected by that rule prior to the rule’s indexing and publication. The term; “all reasonable efforts” requires the commission to employ the most effective and prompt means of notice rationally calculated to inform potentially affected parties of the following: the effectiveness of the rule that is justified and practical under the circumstances, ~~considering~~ the various alternatives available for this purpose, the comparative costs to the commission of utilizing each of those alternatives, and the harm suffered by affected persons from any lack of notice concerning the contents of the rule prior to its indexing and publication. The means that may be used for providing notice of such rules prior to their indexing and publication include, but are not limited to, any one or more of the following means: radio, newspaper, television, signs, mail, telephone, ~~or~~ personal notice, ~~or~~ electronic means.

A rule made effective prior to its indexing and publication in reliance upon the provisions of Iowa Code section 17A.5(2) “b”(3), shall include in that rule a statement describing the reasonable efforts that will be used to comply with the requirements of 1.2(12) “b.”

ITEM 4. Amend rule 161—1.5(216), introductory paragraph, as follows:

**161—1.5(216) Forms.** ~~Forms are available at the commission office without charge. Commission staff is available to assist the public in all matters relative to the forms.~~ Forms commonly used by the commission are generally available through the commission’s Web site or by telephoning the commission staff.